Canada Industrial Relations Board

2011–12

Report on Plans and Priorities

The original version was signed by
The Honourable Lisa Raitt
Minister of Labour

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Message from the Chairperson

I am pleased to present to Parliament and to Canadians the Canada Industrial Relations Board's Report on Plans and Priorities for 2011–12.

The Canada Industrial Relations Board (the Board) is an independent, representational, quasi-judicial tribunal responsible for the interpretation and application of the *Canada Labour Code* (the *Code*) Part I (Industrial Relations) and certain provisions of Part II (Occupational Health and Safety). Part I of the *Code* creates a framework for collective bargaining for the federal private sector. In carrying out its mandate, the Board has an obligation to encourage constructive labour-management relations between federally regulated employers and the unions representing their employees.

The unstable economic environment of the last two years has had limited impact on the Board's workload. The number of incoming cases has remained constant; although more complex cases represent a slightly higher percentage of the Board's incoming caseload than in previous years. This has not deterred the Board from continuing its efforts to reduce the number of outstanding complaints and applications, and improve the timeliness of Board decisions. I am pleased to report that our efforts in this regard have been successful. Our pending caseload is expected to drop to 400 by March 31, 2011. This represents the lowest level of pending matters since 1986–87. Also, the average processing time is expected to fall to 178 days by the end of 2010–11, compared to 312 days in 2008–09.

While I am very pleased with this performance, the Board does not intend to be complacent in the face of these improvements. The Board's priority in 2011–12 will be to continue its efforts to reduce the average processing time of new cases so as to ensure that a backlog does not reoccur. In order to achieve this, the Board will focus its efforts on effective case management and dispute resolution mechanisms that encourage the constructive settlement of differences. The Board will also complete a review of the *Canada Industrial Relations Board Regulations, 2001* (the *Regulations*) in order to make them more clear, modern and practical and to further improve the management of matters coming before the Board for determination. A significant part of this review process will involve consultations with the labour relations community to obtain their views in order to better respond to the needs of the community.

I am extremely proud of the accomplishments of the Board's Vice-Chairpersons, Members and staff. I look forward to the year ahead as we explore new ways of doing business and emphasize initiatives that build positive working relationships and support stable labour-management relations in the federally regulated private sector.

The original version was signed by

Elizabeth MacPherson
Chairperson

SECTION I: DEPARTMENTAL OVERVIEW

Raison d'être, Responsibilities and Departmental Organization

Raison d'être

The mandate of the Canada Industrial Relations Board (the CIRB or the Board) is to contribute to and promote a harmonious industrial relations climate in the federally regulated private sector through the impartial, effective and appropriate administration of the legislation governing labour and management in their representational and bargaining activities. To achieve this mandate, the Board seeks to provide effective industrial relations solutions for the Canadian labour relations community in a fair and timely manner.

Responsibilities

The CIRB is an independent, representational, quasi-judicial tribunal responsible for the interpretation and application of Part I (Industrial Relations) and certain provisions of Part II (Occupational Health and Safety) of the *Canada Labour Code* (the *Code*). The Board was established in January 1999, to replace the previous Canada Labour Relations Board, through amendments to Part I of the *Code*.

Part I of the *Code* establishes the framework for collective bargaining, the acquisition and termination of bargaining rights, unfair labour practices and protection of the public interest in the event of work stoppages affecting essential services.

The CIRB has jurisdiction in all provinces and territories with respect to federal works, undertakings or businesses in the following sectors:

- Broadcasting
- Chartered banks
- Postal services
- Airports and air transportation
- Shipping and navigation
- Interprovincial or international transportation by road, railway, ferry or pipeline
- Telecommunications
- Grain handling and uranium mining and processing
- Most public and private sector activities in the Yukon, Nunavut and the Northwest Territories
- Some First Nations undertakings
- Federal Crown corporations (including, among others, Atomic Energy of Canada Limited and the national museums)

The federal jurisdiction covers some 800,000 employees and their employers, and includes enterprises that have a significant economic, social, and cultural impact on Canadians from coast to coast. The variety of activities conducted in the federally

regulated private sector, as well as its geographical scope and national significance, contribute to the uniqueness of the federal jurisdiction and the role of the CIRB.

The Board's role is to exercise its powers in accordance with the Preamble and provisions of the *Code*, which state that Parliament considers "the development of good industrial relations to be in the best interests of Canada in ensuring a just share of the fruits of progress to all." To that end, the Board aims to be responsive to the needs of the industrial relations community across Canada.

Departmental Organization

The *Code* provides that the Board is to be composed of the Chairperson, two or more full-time Vice-Chairpersons, not more than six full-time Members (of which not more than three represent employers and not more than three represent employees) and any other part-time members (representing, in equal numbers, employees and employers) necessary to discharge the responsibilities of the Board. All are appointed by the Governor in Council: the Chairperson and the Vice Chairpersons for terms not to exceed five years, the members for terms not to exceed three years. The Board currently consists of the Chairperson, five full-time and two part-time Vice-Chairpersons, and six full-time and two part-time Members. Information on the Board members can be found at: http://www.cirb-ccri.gc.ca/about-apropos/members-membres/index_eng.asp.

The Chairperson is the chief executive officer of the Board and has supervision over, and direction of, the work of the Board, including:

- the assignment and reassignment of matters that the Board is seized of to panels;
- the composition of panels and the assignment of Vice Chairpersons to preside over panels;
- the determination of the date, time and place of hearing;
- the conduct of the Board's work;
- the management of the Board's internal affairs;
- the duties of the staff of the Board.

The Board's headquarters are located in the National Capital Region. Support to the Board is provided by the Executive Director, reporting directly to the Chairperson. The Executive Director is responsible for regional operations, case management, client and corporate services and financial services. The Legal Services Branch provides legal assistance as required by the Board and is headed by a general counsel who reports directly to the Chairperson of the Board.

The Board has four regional offices located in Dartmouth, Montréal, Toronto and Vancouver, with two satellite offices, one in Ottawa and another in Winnipeg. These offices are staffed by labour relations professionals and case management teams. Each regional office is headed by a regional director, who reports to the Executive Director in Ottawa.

The Board has established a series of strategic objectives in support of its mandate, which include to:

- seek solutions to labour relations problems by determining the cause and nature of conflict and by applying the appropriate dispute resolution mechanism, including fact finding, mediation and adjudication;
- conduct its activities in a fair, timely and consistent manner;
- consult its clients on its performance and on the development of policies and practices;
- promote an understanding of its role, processes and jurisprudence through client contact and a variety of information dissemination methods;
- conduct its business and manage its resources in a manner that is fiscally sound, in accordance with the *Financial Administration Act* and the policies and directives of the central agencies of government.

Strategic Outcome and Program Activity Architecture (PAA)

Strategic Outcome

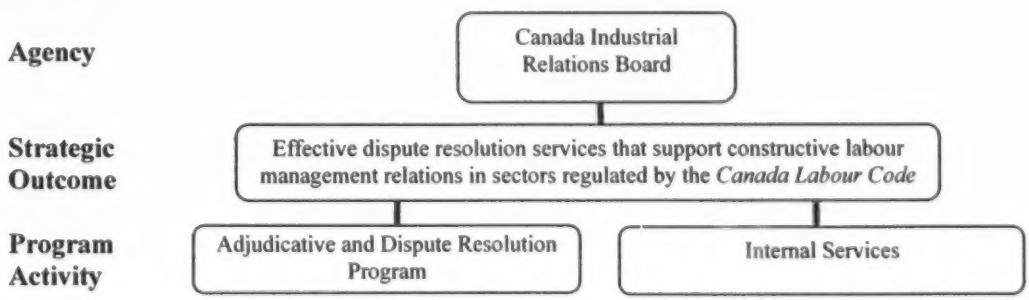
In pursuing its mandate, the CIRB seeks to achieve the following strategic outcome:

Effective dispute resolution services that support constructive labour management relations in sectors regulated by the *Canada Labour Code*

The CIRB's strategic outcome is aligned with the government's Economic Affairs and supports the government's desired outcome of ensuring a Fair and Secure Marketplace through the impartial, effective and appropriate administration of the rules governing the conduct of employers and unions, in order to ensure stable labour-management relations and productive workplaces.

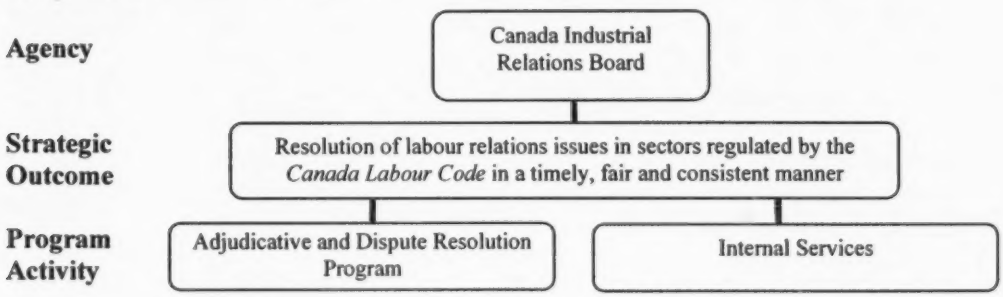
Program Activity Architecture

Based on its legislated mandate, the CIRB has a single strategic outcome and two program activities.


Agency
Canada Industrial Relations Board
Strategic Outcome
Effective dispute resolution services that support constructive labour management relations in sectors regulated by the Canada Labour Code
Program Activity
Adjudicative and Dispute Resolution Program
Internal Services

Program Activity Architecture Crosswalk

The PAA shown above differs from the PAA provided in the Board's previous Report on Plans and Priorities. Specifically, the CIRB, in consultation with the Treasury Board Secretariat, reformulated its Strategic Outcome to better describe the benefit that the CIRB ultimately provides to Canadians. The change has no financial impact, nor does it change the Board's Program Activities. The previous PAA is shown below for comparison.


Agency
Canada Industrial Relations Board
Strategic Outcome
Resolution of labour relations issues in sectors regulated by the *Canada Labour Code* in a timely, fair and consistent manner
Program Activity
Adjudicative and Dispute Resolution Program
Internal Services

Planning Summary

The following table provides a summary of the total planned spending for the Canada Industrial Relations Board for the next three fiscal years.

Financial Resources ($ thousands)

2011–12	2012–13	2013–14
13,027	13,033	13,033

The following table provides a summary of the total planned human resources for the Canada Industrial Relations Board for the next three fiscal years.

Human Resources (Full-Time Equivalent–FTE)

2011–12	2012–13	2013–14
104	104	104

Strategic Outcome: Effective dispute resolution services that support constructive labour management relations in sectors regulated by the *Canada Labour Code*	
Performance Indicators	**Targets**
Number of applications/complaints resolved as a percentage of applications/complaints received	100%
Percentage of clients that are satisfied with the CIRB case management practices measured over a three-year period with a Client Satisfaction Survey	75%

Program Activities[1]	Forecast Spending 2010–11	Planned Spending			Alignment to Government of Canada Outcomes
		2011–12	2012–13	2013–14	
Adjudicative and Dispute Resolution Program	10,366	9,510	9,514	9,514	Fair and Secure Market Place The CIRB promotes stable industrial relations within the industrial sectors that fall under federal jurisdiction, thus ensuring safe, fair and productive workplaces that contribute positively to the Canadian economy.
Internal Services	3,278	3,517	3,519	3,519	
Total Planned Spending		13,027	13,033	13,033	

Contribution of Priorities to Strategic Outcome

The CIRB's priorities are largely dictated by its **strategic outcome**. In the discharge of its mandate, the Board aims to be progressive, efficient and effective, as well as open and accountable. In addition to its objective of promoting and contributing to effective and stable industrial relations, the Board plans to pursue the priorities summarized in the table below.

Operational Priorities	Type	Links to Strategic Outcome	Description
Expeditious and fair processing of applications and complaints	Ongoing	All of these priorities are linked to our sole strategic outcome: Effective dispute resolution services that support constructive labour management relations in sectors regulated by the *Canada Labour Code* and are directly linked to our main program activity: Adjudicative and Dispute Resolution Program	**Why is this a priority?** Stable industrial relations contribute to Canada's economic prosperity. By resolving matters in a timely and fair manner, the CIRB directly contributes to this objective. **Plans for meeting the priority** To accomplish this, the CIRB will complete a review of its *Regulations* to ensure effective and efficient handling of applications and complaints; it will continue to monitor and fine-tune procedures aimed at reducing processing time for certification applications; and will actively explore opportunities to further reduce the average case disposition time.

[1] For program activity descriptions, please access the Main Estimates online at: www.tbs-sct.gc.ca/est-pre/estimE.asp.

Successful resolution of labour relations problems through appropriate dispute resolution mechanisms	Ongoing		**Why is this a priority?** Being responsive to the community needs and addressing the underlying labour relations issues contributes to a stable industrial relations climate and thus has a direct positive effect on the Canadian economy. **Plans for meeting the priority** To achieve this, the CIRB will increase its emphasis on proactive mediation of complaints by regional staff and Board members, and will implement tracking measures to measure its success rate.
An involved and well-informed labour relations community	Ongoing		**Why is this a priority?** As client-focused service is important to the federal government, consultations with clients will continue to be a priority for the CIRB. **Plans for meeting the priority** The CIRB will update and expand the information on its Website; continue to develop and disseminate regular CIRB updates to the labour relations community; and consult the community on policies and procedures.
Management Priorities	**Type**	**Links to Strategic Outcome**	**Description**
Enhanced electronic management capabilities	New	This priority is linked to our sole strategic outcome: Effective dispute resolution services that support constructive labour management relations in sectors regulated by the *Canada Labour Code* and is linked to two program activities: Adjudicative and Dispute Resolution Program and Internal Services	**Why is this a priority?** The ability to embrace and maximise new technologies to improve our capacity to manage information and provide excellent services to our clients is a core pillar of Public Service Renewal and is essential to CIRB's ability to achieve its strategic outcome economically, efficiently and effectively. **Plans for meeting the priority** The CIRB will complete the implementation of e-faxing capabilities within the Board and realign business processes to manage its case files electronically. The CIRB will also develop a needs assessment and framework that will assist it in moving forward with an e-filing capability, followed by the eventual replacement of its legacy Case Management System. This will be supported by appropriate change management strategies and principles to ensure successful implementation.

Risk Analysis

The CIRB is a low risk agency. Financially, approximately four fifths (81%) of its $13.0 million operating budget is for salaries and benefits. Of the remaining $2.6 million in Operations and Maintenance (O&M), 55% is for travel and professional services, and is largely related to the processing of cases such as travel to external hearings, temporary rental of hearing rooms, interpretation services and translation of Board decisions. The Board adheres to Treasury Board policies for the expenditure of its O&M budget.

Operating environment
The Board has an ongoing planning challenge in that the CIRB's sole function is to respond to the matters referred to it by unions, employers, employees and the Minister of Labour. As such, the CIRB's operational activities are driven by external demands that it can only react to rather than plan for.

The Board's workload is a function of many variables, but the economic environment and the collective bargaining cycle are key determinants of the types of cases submitted to the Board. For example, corporate mergers, acquisitions and restructuring tend to increase the demand for bargaining unit reviews, the determination of a single employer and of a sale of business. Corporate bankruptcies and insolvencies frequently result in a loss of or decrease in the level of collectively bargained salary and employment benefits, with resultant increases in duty of fair representation (DFR) and bad faith bargaining complaints. The negotiation or renegotiation of collective agreements in areas essential to public health or safety creates demand for Board investigations and rulings on maintenance of activities issues.

The state of the economy can affect the nature of the demand for Board services and the absolute number of incoming applications and complaints, which has tended to rise since the beginning of the latest recession in 2008. A significant increase in the incoming number of complex matters would severely affect the Board's ability to meet its strategic outcome.

Processing Time
The Board's largest operational risk is associated with the number of applications and complaints it receives in a given year, combined with its ability to continue to reduce its backlog of cases. To mitigate this risk, priority is given to the processing and consideration of matters in which it appears that delay will pose a significant potential for adverse industrial relations consequences, or where other identifiable factors require a matter to be promptly addressed. In addition, the CIRB adopted new procedures for the processing of DFR complaints over the last few years.

This year, the CIRB will complete a comprehensive review of its *Regulations* to ensure effective and efficient handling of applications and complaints and will continue to monitor and fine-tune the processing of applications for certification. It is expected that these mitigating strategies will further reduce the time it takes to process matters, which in turn will continue to reduce the number of backlog cases.

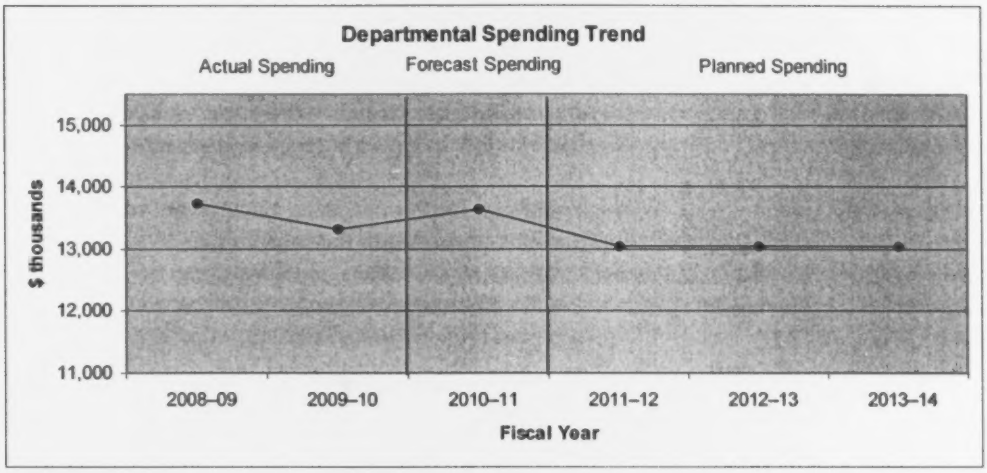
Quality of Decisions
In addition to the timeliness of decisions, a second operational risk involves the quality of the decisions. Decisions that are not based on sound legal and industrial relations principles would not only lead to flawed jurisprudence, but would also create uncertainty in the client community. It should be noted that all but two of the 97 judicial review applications heard by the Federal Court of Appeal were dismissed in the 2005–06 to 2009–10 period. This underscores the importance of the quality of Governor-in-Council appointments that are made to the Board and the experience and expertise that these appointees bring to it.

Corporate Management
The CIRB, like most of the federal public service, is facing challenges with employee retention and departures due to retirement. In the next five years, almost 20% of the Board's staff is eligible to retire. What is more problematic, however, is that almost 43% of the executive group is eligible to retire over the same period. In addition, results from the Public Service Employee Survey identified issues related to career progression within the Board. As the CIRB is a small and specialized organization, the impact of staff turnover can be significant. Maintaining continuity of the Board's corporate knowledge requires sustained focus on recruitment, training and succession planning. The Board responded in 2009 by putting in place trainee positions and development programs for selected key positions critical to the Board's operations.

The Board, like all federal departments and agencies, will also have to manage its operating and salary budget in line with budget restraints, which are likely to remain in place for some time. In addition, the Administrative Services Review undertaken this past year by the government to review administrative functions and overhead costs in order to identify opportunities for additional savings may further impact the CIRB.

Like other small departments and micro-agencies, the CIRB continually faces pressure to respond to, or implement various government-wide management initiatives. The CIRB is continuing its work on several fronts, such as strengthening its accountability framework, implementing new policy requirements, and developing measures to enhance the use of technology. The CIRB will also continue to actively seek horizontal opportunities and interdepartmental partnerships, in order to achieve efficiencies. The CIRB believes this approach will mitigate the pressure caused by increased demands, while ensuring it continues to be well positioned to carry out its statutory mandate.

Expenditure Profile



In 2008–09, the Board's actual expenditures were slightly higher than 2009–10 due to the relocation of the Board's regional offices in Montréal and Vancouver as a result of Public Works and Government Services Canada Initiatives. The forecasted spending for 2010–11 includes pay increases due to payments for retirements, maternity and parental leaves and other benefits adjustments prescribed by collective agreements and Treasury Board policies. It is expected that the budget restraints imposed by the government will result in a decrease of the Board's planned spending over the planning period.

Estimates by Vote

Estimates by Vote are presented in the 2011–12 Main Estimates, which are available at: http://www.tbs-sct.gc.ca/est-pre/20112012/me-bpd/info/info-eng.asp.

SECTION II: ANALYSIS OF PROGRAM ACTIVITY BY STRATEGIC OUTCOME

Strategic Outcome and Program Activities

Effective dispute resolution services that support constructive labour management relations in sectors regulated by the *Canada Labour Code*

The following section describes the CIRB's program activities and identifies the expected result, performance indicators and targets for each activity. This section also explains how the CIRB plans to meet the expected results and presents the financial and non-financial resources that will be dedicated to each program activity.

This section will contain a discussion of plans surrounding the following program activities:

- Adjudicative and Dispute Resolution Program
- Internal Services

The Board has only one key operational program activity—the Adjudicative and Dispute Resolution Program. The second program activity of the Board is to provide the internal support required to carry out the Board's primary program.

Through its primary program, the CIRB resolves labour relations issues by exercising its statutory powers relating to the application and interpretation of Part I (Industrial Relations), and certain provisions of Part II (Occupational Health and Safety) of the *Code*. Activities include the granting, modification and termination of bargaining rights; the investigation, mediation and adjudication of complaints alleging violation of Part I of the *Code*; the determination of essential services; the exercise of ancillary remedial authority; the exercise of cease and desist powers in cases of unlawful strikes or lockouts; the settlement of the terms of a first collective agreement. The secondary program activity involves the provision of administrative services required to support these activities.

Information on both activities is provided in the tables below.

Program Activity 1: Adjudicative and Dispute Resolution Program					
Human Resources (FTEs) and Planned Spending ($ thousands)					
2011–12		**2012–13**		**2013–14**	
FTEs	**Planned Spending**	**FTEs**	**Planned Spending**	**FTEs**	**Planned Spending**
76	9,510	76	9,514	76	9,514

Program Activity Expected Results	Performance Indicators	Targets
Labour relations issues before the Board are resolved in a timely and consistent manner	Percentage of cases processed in less than one (1) year	75%
	Percentage of CIRB decisions upheld by the Federal Court of Appeal	100%
	Percentage of written decisions that are issued in less than 90 days from the date the Board reserves its decision	75%

Planning Highlights

The complexity and implications of the issues facing federally regulated employers and unions require the Board to judiciously apply a wide range of knowledge and skills in diverse industrial relations, labour law and administrative law contexts. The relatively stable economic environment that prevailed before the start of the current recession had resulted in a decrease in the number of cases coming before the Board. However, under the current environment, that situation has changed somewhat as we will see below. Recent reports of a 40% increase in corporate mergers and acquisitions[2] will undoubtedly affect the type of cases the Board will receive, and it is also possible that the number of unfair labour practice complaints will rise as a result of difficulties at the bargaining table.

Typical issues of continuing concern to the Board include:

- the acquisition and exercise of free collective bargaining rights, and the promotion of sound labour-management relations in a fair and transparent manner;
- the need to ensure that collective bargaining between employers and unions is conducted fairly and in good faith;
- determination of the levels of services required to be maintained during a work stoppage to ensure the protection of the health and safety of the Canadian public;
- the prompt consideration of situations in which illegal work stoppages are alleged;
- the need to assist companies and unions in resolving the labour relations implications of corporate mergers and acquisitions—including the determination of appropriate bargaining unit structures and representation rights.

The Board's foremost priority remains the efficient and effective delivery of its statutory mandate as set out in the *Code*, while being both transparent and accountable in its

[2] John Shmuel, "Canadian M&A strongest in three years", Financial Post, November 24, 2010.

decision-making process. The Board continually monitors and adjusts its processes in order to respond to workload demands.

Within this context, the Board's three main operational priorities in the coming years are to maintain the momentum of the past few years and continue reducing the case processing times; focus on successful resolution of labour relations problems through appropriate dispute mechanisms; and continue with its formal and informal consultations and engagement with the labour relations community.

To deliver on these priorities, and in consultation with the client community, the Board will complete a review of its *Regulations* and seek effective and efficient ways of handling applications and complaints, including exploring opportunities to further reduce case processing and disposition time. It will also increase its emphasis on proactive mediation of complaints by regional staff and Board members. In addition, it will continue to develop and disseminate regular CIRB updates to the labour community.

It is expected that the achievement of these priorities will simplify and/or shorten case processing measures, which will increase the number of matters that can be disposed of with a limited adjudicative capacity, thus enhancing effectiveness and efficiencies.

The Board will continue to endeavour to provide timely and legally sound decisions that are consistent across similar matters, in order to establish strong and clear jurisprudence, which in turn should reduce the likelihood of demands for reconsideration, as well as reducing the likelihood of applications to the Federal Court of Appeal for judicial review.

Analysis

Volume of Matters

Since the beginning of the recent economic recession, the number of applications/complaints received by the Board has remained relatively constant. In 2010–11, the number of incoming matters is expected to reach 682 compared to 695 in the previous fiscal-year (see Chart 1). While higher than the levels recorded in 2006–07 and 2007–08, this is nevertheless below the average of 902 over the 2000–01 to 2004–05 period.

With respect to the types of application/complaints received by the Board in 2010–11, there are significantly more applications for certification (up by 17) and an increase in applications for a declaration of an unlawful strike or lockout (up by 9). There are also proportionally more requests for the determination of a single employer, complaints related to the safety of employees under Part II of the *Code*, and DFR complaints. Alternatively, we expect far fewer applications for review (down by 30), including reconsiderations.

Chart 1–Volume of Matters					
	2006–07	2007–08	2008–09	2009–10	2010–11*
Received	636	633	672	695	682
Disposed	658	675	820	711	709
Pending	632	590	442	426	400
* Projection based on the first 9 months (April to December 2010)					

Disposition of Matters

The Board is expected to resolve 709 matters in 2010–11, about the same as in the previous fiscal-year (see Chart 1). Compared to 2009–10, there are significantly more applications for certification disposed (up by 23) and a greater number of single employer applications resolved (up by 14). Applications for a declaration of an unlawful strike or lockout, complaints related to the safety of employees under Part II of the *Code*, and bargaining unit structure reviews also represent a higher proportion of disposed matters than in previous years. Alternatively, there were fewer DFR complaints resolved (down by 31), as well as applications for reconsideration (down by 13).

It should also be noted that applications for the determination of a single employer and bargaining unit structure reviews, which increased in 2010–11, are considered complex matters, along with sale of business and maintenance of activities applications. These matters typically involve numerous sections of the *Code* as well as *Charter* issues. They are both lengthier to process and require more of the Board's resources for their disposition.

Given the volume of incoming and resolved matters, the number of pending cases is expected to fall to 400 at the end of March 2011, compared to 426 the previous year (see Chart 1). This represents the lowest level of pending matters since 1986–87.

It should also be noted that the *Regulations* stipulate that certain types of matters require priority attention. These cases include requests for an interim order/decision, requests to file Board orders in Court, referrals to the Board by the Minister of Labour relating to the maintenance of activities during a legal work stoppage, applications alleging an invalid strike or lockout vote, applications for a declaration of unlawful strike or lockout, and unfair labour practice complaints alleging the use of replacement workers and dismissal for union activities. These types of matters are processed on an expedited basis. During the planned review of the *Regulations*, the Board will consider whether any other types of applications should be subject to expedited procedures.

Processing and Disposition Time

The time required to process a file—the time spent opening, investigating, mediating, hearing, and deciding a case—is expected to drop significantly in 2010–11, to an average of 178 calendar days compared to 231 days in 2009–10 and 312 days in 2008–09.

The principal reason for the decrease in processing time is related to the resolution of a large number of backlog cases involving DFR complaints. Prior to 2007–08, DFR complaints were often set aside when more urgent matters arose. As a result, the CIRB had accumulated a significant backlog of DFR complaints, and the proportion of all pending matters grew from 25.6% in 2002–03 to almost 43% at the end of 2006–07. The

CIRB decided to seriously address this DFR backlog in 2007–08 and 2008–09. Also, the Board adopted measures to process this type of complaint more efficiently. Consequently, DFR complaints now represent 22% of all pending matters and their average processing time has declined from 459 days in 2008–09 to 221 days in 2010–11.

Other than DFR complaints, there were significant declines in the processing time of many other types of applications/complaints, most notably applications for certification and reviews.

One component of the overall processing time is the length of time required by a Board panel[3] to prepare and issue a decision, following the completion of the investigation and/or hearing of a matter. A panel may decide a case without a hearing on the basis of written and documentary evidence, such as investigation reports and written submissions, or may defer the decision until further evidence and information is gathered via an oral hearing.

Section 14.2(2) of the *Code* requires that a panel must render its decision and give notice of it to the parties no later than ninety days after the day on which it reserved its decision or within any further period that may be determined by the Chairperson. The Board's objective is to achieve compliance with the ninety-day time limit in a majority of the cases requiring written reasons for decision. In this respect, the Board will achieve its objective in 2010–11, as the average decision-making time is expected to drop to below 65 days, compared to 94 days in 2009–10.

Written Decisions
The Board issues detailed *Reasons for decision* in matters dealing with significant labour-management issues and/or those with significant jurisprudential importance. In other matters, concise "letter decisions" help expedite the decision-making process, thereby providing more timely industrial relations outcomes for parties. The Board strives to provide timely and legally sound decisions that are consistent across similar matters in order to establish strong and clear jurisprudence. In 2010–11, the Board is expected to render 287 written decisions, about the same as in 2009–10.

Benefits for Canadians

The impact of the work of the Board can be both broad-ranging and significant. The Board's decisions and mediation efforts often affect, in very tangible ways, the working lives of thousands of Canadians, the economic position of leading Canadian corporations, and the general well-being of the Canadian public. When the Board receives an application or complaint, it is usually because there is some form of unresolved conflict or problem that the parties themselves have been incapable of resolving on their own. By resolving the matter, through mediation or by issuing a decision, the Board effectively and directly contributes to improved labour-management relations in that enterprise.

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[3] A panel is composed of the Chairperson or a Vice-Chairperson for single member panels and the Chairperson or a Vice-Chairperson and two Members in a tripartite panel.

However, the Board also contributes to effective industrial relations in the federal jurisdiction generally. Each time it issues a decision, the Board adds to its growing jurisprudence, which is widely disseminated to the industrial relations community. Clear and consistent jurisprudence provides an environment where potential litigants are more likely to resolve matters on their own than to bring the matter before the Board.

Planning Highlights

The Internal Services program activity supports the CIRB's strategic outcome. It consists of the groups of activities and resources that are administered to support the needs of programs and other corporate obligations of the CIRB, including Central Agency requirements. These groups are: management and oversight services; human resources services; financial and administrative services (including facilities, materiel and procurement services); information management services; and information technology services.

Program Activity 2: Internal Services					
Human Resources (FTEs) and Planned Spending ($ thousands)					
2011–12		**2012–13**		**2013–14**	
FTEs	**Planned Spending**	**FTEs**	**Planned Spending**	**FTEs**	**Planned Spending**
28	3,517	28	3,539	28	3,519

The CIRB will continue to strengthen its management practices. In line with the government's Public Service Renewal Initiative, the CIRB has instituted an integrated planning process, which involves aligning and integrating the human, as well as financial, asset and information resources required to deliver on its mandate. Recognizing that investment planning is a key element in achieving sound stewardship of its resources to support its program outcomes as well as government priorities, the CIRB will develop and incorporate a three-year investment plan in the CIRB's Integrated Business Plan.

To enhance the Board's ability to effectively and efficiently manage its Program and better serve its clients with the use of technology, in the coming year, the CIRB will focus its efforts on enhancing its capabilities for the electronic management of information, which will assist the Board in moving forward towards e-filing for CIRB clients.

Benefits for Canadians

Specific benefits to Canadians include the following:

- resources effectively support the delivery of the CIRB's program and corporate obligations; and
- human, material and financial resources are utilized in the most economical, efficient and effective manner.

SECTION III: SUPPLEMENTARY INFORMATION

Financial Highlights

Beginning with the 2011–12 planning cycle and as per Treasury Board Secretariat requirements, all departments are now required to prepare Future-oriented Financial Statements. The future-oriented financial highlights presented within this Report on Plans and Priorities are intended to serve as a general overview of the CIRB's operations and financial position. These financial highlights are prepared on an accrual basis and are meant to strengthen accountability and transparency, as well as improve financial planning and management. The Board's Future-oriented Financial Statements can be found on the CIRB's Website at http://www.cirb-ccri.gc.ca/publications/report-rapport_eng.asp.

These statements show a summarized net cost of operations and financial position recorded on the basis of accrual-based accounting and differ from the amounts shown in Sections I and II of the Report on Plans and Priorities, which are based on annual reference levels.

Future-oriented Condensed Statement of Operations
For the Year Ended March 31, 2012
($ thousands)

	Future-oriented 2011–12
Expenses	
Total Expenses	17,516
Revenues	
Total Revenues	1
Net Cost of Operations	17,515

This statement includes: (1) adjustments for items that affect net cost of operations but does not impact spending authorities, such as services that are provided without charge, amortization of tangible capital assets, employee severance benefits, vacation pay and compensatory leave; (2) items not affecting net cost of operations but affecting spending authorities, such as acquisitions of tangible capital assets and forecasted year end fund lapse.

Future-oriented Condensed Statement of Financial Position
For the Year Ended March 31, 2012
($ thousands)

	Future-oriented 2011–12
Assets	1,704
Total assets	1,704
Liabilities	3,382
Total liabilities	3,382
Equity	(1,679)
Total	1,704

This statement includes adjustments for amounts due from the consolidated revenue fund, accounts receivable, accounts payable, advances, tangible capital assets, accrued liabilities, accrued vacation pay and compensatory leave, accrued employee severance benefits and an amount for the equity of Canada.

Supplementary Information Tables

All electronic supplementary information tables found in the 2011–12 Report on Plans and Priorities can be found on the Treasury Board of Canada Secretariat's Website at: http://www.tbs-sct.gc.ca/rpp/2011-2012/info/info-eng.asp.

- Greening Government Operations (GGO)
- Upcoming Internal Audits over the next three fiscal years

To Contact the Board

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